

Customer No. 25280

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REMARKS

Claims 1-27 were pending in the application. Claims 1-14 are hereby cancelled without prejudice. Independent claims 15, 22 and 27 have been amended. Claims 28 – 33 have been added. Thus, claims 15-33 are subject to continued examination.

Art Rejections:

With regard to the non-canceled claims, in the prior Office Action such claims were rejected on grounds that they were anticipated by U.S. Patent Publication 2002/0002482 A1 to Thomas or obvious over Thomas in view of U.S. Patent 6,189,029 to Furest. In light of the amendments set forth herein, continued rejection on these grounds is respectfully traversed and reconsideration is requested.

Each of the independent claims has been amended to specifically recite the ordering feature from the web page displaying the product design and the survey menu with the interactive shopping cart being accessible by a link from the page displaying those items as initially communicated to subscribers. The shopping cart is accessible directly from that page independent of selecting any given response menu item. That is, the page communicated to the user contains the product design, the selectable survey menu and a direct link to an online shopping cart to enable ordering of the displayed product independent from the survey response. FIGS. 2-5 of the application as originally filed illustrate representative web documents with these features. The fact that ordering may be performed independently from the survey is confirmed at FIG. 1 of the application wherein the description of event "D" states that the subscriber rates the

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design and/or requests sample. Thus, the description contemplates that the order may be placed without completing the survey.

As best understood, the combination of features as claimed with the capability of ordering from a survey independent of any survey answer is not taught or suggested by the cited art. The primary reference to Thomas does not appear to contemplate any ordering capability. In light of this deficiency, the Office Action indicates that Furest teaches a survey tool with a means for requesting prices and completing transactions. In particular, the Office Action cites the teachings of Fuerst at Col. 3, lines 32-35. However, as best understood, the teachings in Fuerst relating to order placement appear to be limited to responsive features that become accessible to a user only after answers to an initial survey are completed. Thus, the feature of being able to place an order from a survey document without the need to complete the survey is not suggested. The Examiner is referred to Col. 3, lines 20-25 of Fuerst which states as follows;

"Rather than merely tabulating the response, the present invention provides the necessary intelligence, based on the answers given by the user to the first series of questions to select a second series of questions from a decision tree..."

Thus, in the cited Fuerst reference it appears to be contemplated that at least an initial set of survey questions must be answered before any ordering activity can be initiated.

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This appears to reflect the accepted wisdom that a survey document should secure at least some requested survey data before any ordering should take place.

The present invention differs from the references in many respects. For example, the present invention proceeds contrary to the references by providing a system and method wherein a user can utilize the conveyed survey document to place an order even if there is no participation in the survey inquiry. A single interactive document allows a user to view a product as well as to answer survey questions and/or place an order. Such a system does not appear to be taught or suggested by the cited art.

Applicants respectfully note that the references relied upon must be considered for everything they teach - including portions that would lead away from the claimed invention. In the present case, the document cited as teaching ordering in combination with a survey inquiry also specifically teaches the need for the user to answer a preliminary series of questions before initiating the ordering procedure. Thus, the present invention appears to be contrary to the teachings of the reference relied upon.

Applicants also respectfully note that by incorporating an independent ordering feature, the chance of obtaining answers to the survey questions may be reduced. As best understood, surveys are traditionally designed to maximize the number of responses. Thus, any modification of the prior art systems to incorporate an independent order feature appears to be contrary to such practices.

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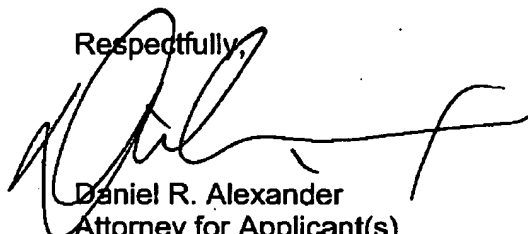
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Conclusion

In light of the amendments and remarks as set forth above, Applicants respectfully submit that all claims now stand in condition for allowance. Accordingly, an action to that effect is respectfully requested at this time.

March 15, 2005

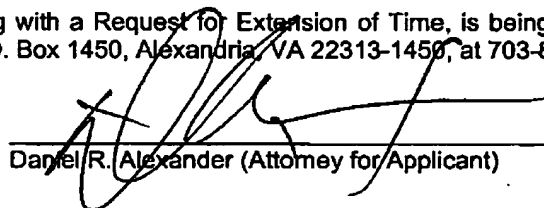
Respectfully,



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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence, along with a Request for Extension of Time, is being sent by facsimile to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, at 703-872-9306 on March 15, 2005.


Daniel R. Alexander (Attorney for Applicant)